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REMARKS

Claims 1-22 are pending in this application.

Applicants gratefully acknowledge the Office Action's indication of allowable subject matter in claims 10 and 18. However, for the reasons set forth below, Applicants respectfully assert that all of the claims are directed to allowable subject matter and that the application is in condition for allowance.

The Office Action rejects claims 11 and 20 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement because the feature "a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side" is not described in the specification. Applicants disagree.

According to MPEP § 2163.03,

While a question as to whether a specification provides an adequate written description may arise in the context of an original claim which is not described sufficiently (see, e.g., *Regents of the University of California v. Eli Lilly*, 119 F.3d 1559, 43 USPQ2d 1398 (Fed. Cir. 1997)), there is a strong presumption that an adequate written description of the claimed invention is present in the specification as filed. *In re Wertheim*, 541 F.2d 257, 262, 191 USPQ 90, 96 (CCPA 1976). Consequently, rejection of an original claim for lack of written description should be rare (emphasis added).

Additionally, according to MPEP § 2163.04,

A description as filed is presumed to be adequate, unless or until sufficient evidence or reasoning to the contrary has been presented by the examiner to rebut the presumption. See, e.g., *In re Marzocchi*, 439 F.2d 220, 224, 169 USPQ 367, 370 (CCPA 1971). The examiner, therefore, must have a reasonable basis to challenge the adequacy of the written description. The examiner has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an

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applicant's disclosure a description of the invention defined by the claims. *Wertheim*, 541 F.2d at 263, 191 USPQ at 97.

Furthermore, according to MPEP § 2163, the original claims constitute their own description (*In re Koller*, 613 F.2d 819, 204 USPQ 702 (CCPA 1980)). MPEP § 2163 goes on to state, "It is now well accepted that a satisfactory description may be in the claims or any other portion of the originally filed specification."

Thus, Applicants assert claims 11 and 20 provide satisfactory description in themselves.

Furthermore, Applicants also assert claims 11 and 20 are further supported by the specification at Fig. 1, element 160, page 5, lines 4 and 5 and lines 28 and 29, and page 6, lines 9 and 10. Therefore, applicants request the withdrawal of the rejection under 35 U.S.C. § 112, first paragraph.

The Office Action rejects, under 35 U.S.C. § 102, claims 1-7, 12-15, 21, and 22 over Chadha (U.S. Patent Pub. No. 2004/0229662). The Office Action also rejects, under 35 U.S.C. § 103, claims 8 and 16 over Chadha and King et al. (U.S. Patent Pub. No. 2004/0067770), and claims 9, 17, and 19 over Chadha and Rydbeck et al. (U.S. Patent No. 6,751,487). These rejections are respectfully traversed.

Applicants assert Chadha does not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

Applicants also assert Chadha does not disclose or suggest a unitary housing including a first face side and a second face side, the second face side facing an opposite direction from the first face side, a user interface including a numeric keypad disposed on the first face side, and a text input device disposed on the second face side, as recited in independent claim 12.

Applicants additionally assert Chadha does not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

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The Office Action alleges Chadha discloses, at Figs. 1 and 9, a second face side located on an opposite side of a housing from a first face side with a numeric keypad disposed on the first face side and a text keypad disposed on the second face side. Applicants disagree.

Applicants assert there is absolutely no disclosure in Chadha that Figs. 1 and 9 illustrate a second face side located on an opposite side of a housing from a first face side. Chadha does not disclose the Figures illustrate two different sides of the same housing.

In fact, Chadha teaches the opposite of what the Office Action is alleging. In particular, Chadha expressly teaches the devices illustrated in Figs. 1 and 9 are separate embodiments of the same device (paragraph [0029]). This is further supported by the fact that Chadha expressly refers to either the conventional telephone keypad layout 222 or the QWERTY keyboard layout 230 is located on the front face 206 of the housing 202 (paragraph [0032]). This is the exact opposite of a second face side located on an opposite side of a housing from a first face side with a numeric keypad disposed on the first face side and a text keypad disposed on the second face side because it is the disclosure of two alternate embodiments using the same side 206.

Thus, Chadha does not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

Similarly, Chadha does not disclose or suggest a unitary housing including a first face side and a second face side, the second face side facing an opposite direction from the first face side, a user interface including a numeric keypad disposed on the first face side, and a text input device disposed on the second face side, as recited in independent claim 12.

Additionally, Chadha does not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

Therefore, Applicants respectfully submit that independent claims 1, 12, and 21 define patentable subject matter. The remaining claims depend from the independent claims and

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therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103.

### CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-22 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



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